

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

HAROLD D. HARDEN,  
Plaintiff,  
vs.  
NEVADA DEPARTMENT OF  
CORRECTIONS, et al.,  
Defendants.

Case No. 2:15-cv-00970-GMN-CWH  
REPORT AND RECOMMENDATION

After the court received three mailings to Plaintiff Harold D. Harden returned as undeliverable, the court ordered Plaintiff to file a notice with his current address by October 27, 2017. (Order (ECF No. 49).) The court’s order was returned as undeliverable. (Mail Returned as Undeliverable (ECF No. 50).) Plaintiff has not taken any action in the case since the court’s order. Thus, it appears that Plaintiff no longer resides at the address on file with the court. Under Local Rule IA 3-1,

An attorney or pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party’s attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court.

In light of Plaintiff’s failure to update his address, the court will recommend dismissal of this case without prejudice as a sanction for failure to comply with the court’s order.

IT IS THEREFORE RECOMMENDED that Plaintiff Harold D. Harden’s case be dismissed without prejudice.

NOTICE

This report and recommendation is submitted to the United States district judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may

1 file a written objection supported by points and authorities within fourteen days of being served  
2 with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may  
3 waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir.  
4 1991).

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6 DATED: October 30, 2017

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C.W. Hoffman, Jr.  
United States Magistrate Judge